

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

STEELMAN PARTNERS, a Nevada limited
liability partnership,

Plaintiff,

vs.

SANYA GAOSHENG INVESTMENT
COMPANY, LTD., a Hong Kong corporation,

Defendants.

Case No. 2:09-cv-01016-ECR-GWF

**RECOMMENDATION AND
ORDER**

This matter comes before the Court on the Order to Show Cause (#54), filed August 2, 2011, wherein this Court ordered Defendant Sanya Gaosheng Investment Company, Ltd. to show cause, in writing no later than August 12, 2011, why sanctions should not be imposed for their failure to comply with this Court's prior Order (#53) to retain counsel. To date, Defendant Sanya Gaosheng Investment Company, Ltd. has failed to comply. Accordingly,

RECOMMENDATION

IT IS RECOMMENDED that the Answer of Defendant Sanya Gaosheng Investment Company, Ltd. be stricken and its default entered based on Defendant's failure to comply with this Court's Order to obtain counsel.

ORDER

IT IS HEREBY ORDERED that the Clerk of the Court shall mail a copy of this Recommendation and Order to Defendant Sanya Gaosheng Investment Company, Ltd., c/o Anthony Tong, Esq., Robin Bridge & John Liu, 5th & 6th Floors, Wincome Centre, 39 Des Voeux Road, Central, Hong Kong.

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NOTICE

Pursuant to Local Rule IB 3-2, any objection to this Finding and Recommendation must be in writing and filed with the Clerk of the Court within fourteen (14) days. The Supreme Court has held that the courts of appeal may determine that an appeal has been waived due to the failure to file objections within the specified time. *Thomas v. Arn*, 474 U.S. 140, 142 (1985). This circuit has also held that (1) failure to file objections within the specified time and (2) failure to properly address and brief the objectionable issues waives the right to appeal the District Court's order and/or appeal factual issues from the order of the District Court. *Martinez v. Ylst*, 951 F.2d 1153, 1157 (9th Cir. 1991); *Britt v. Simi Valley United Sch. Dist.*, 708 F.2d 452, 454 (9th Cir. 1983).

DATED this 27th day of September, 2011.



GEORGE FOLEY, JR.
United States Magistrate Judge